

*Not reviewed**ORIGINAL*UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK----- x
UNITED STATES OF AMERICA

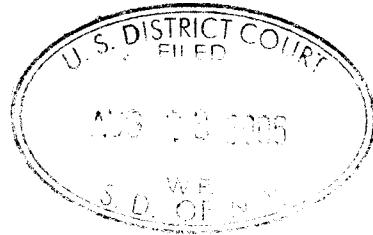
-v-

HURGENES PIGNARD,
a/k/a "Pop,"
a/k/a "Pops,"

Defendant.

INDICTMENT

06 Cr. 718

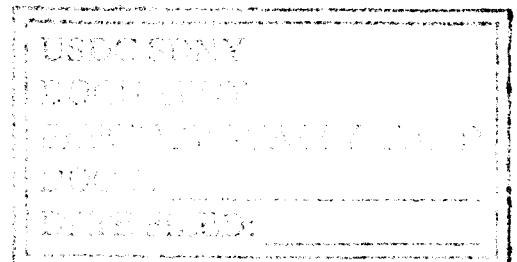
COUNT ONE

The Grand Jury charges:

1. From in or about February 2005 through in or about April 2005, in the Southern District of New York, and elsewhere, HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," the defendant, and others known and unknown, unlawfully, willfully, and knowingly, did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, violations of Title 18, United States Code, Sections 2113(a) and (d).

Objects of the Conspiracy

2. It was a part and an object of the conspiracy that HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," the defendant, and others known and unknown, unlawfully, willfully and knowingly, by force and violence, and by intimidation, would and did take, and attempt to take, from the persons and presence of others,



property and money belonging to and in the care, custody, control, management, and possession of various banks, the deposits of each of which were then insured by the Federal Deposit Insurance Corporation, in violation of Title 18, United States Code, Section 2113(a).

3. It was further a part and an object of the conspiracy that HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," the defendant, and others known and unknown, while committing a bank robbery unlawfully, willfully and knowingly would and did assault persons and put in jeopardy the lives of such persons by the use of a dangerous weapon, namely, a pellet gun, in violation of Title 18, United States Code, Section 2113(d).

Overt Acts

4. In furtherance of the conspiracy, and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York, and elsewhere:

a. On or about February 3, 2005, PIGNARD drove to the vicinity of Fairview Avenue, Spring Valley, New York and attempted to enter a residence.

b. On or about April 20, 2005, PIGNARD drove to the vicinity of Divine Corners Road in Loch Sheldrake, New York and attempted to enter a residence.

(Title 18, United States Code, Section 371.)

COUNT TWO

The Grand Jury further charges:

5. On or about February 3, 2005, in the Southern District of New York and elsewhere, HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," and others known and unknown, unlawfully, willfully, and knowingly, by force and violence, and by intimidation, attempted to take, from the persons and presence of others, property and money belonging to and in the care, custody, control, management, and possession of the Charter One Bank, 253 North Main Street, Spring Valley, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation ("FDIC"), and in committing such offense, HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," the defendant, did assault and put in jeopardy the life of another person by the use of a dangerous weapon, to wit, a pellet gun.

(Title 18, United States Code, Sections 2113(a) and (d) & 2.)

COUNT THREE

The Grand Jury further charges:

6. On or about April 20, 2005, in the Southern District of New York and elsewhere, HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," the defendant, and others known and unknown, unlawfully, willfully, and knowingly, by force and violence, and by intimidation, attempted to take, from the persons and presence of others, property and money belonging to and in the care,

custody, control, management, and possession of the First National Bank of Jeffersonville, 1278 Route 52, Lock Sheldrake, New York, the deposits of which were then insured by the Federal Deposit Insurance Corporation ("FDIC").

(Title 18, United States Code, Sections 2113(a) & 2.)

COUNT FOUR

The Grand Jury further charges:

7. On or about April 20, 2005, in the Southern District of New York, HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," the defendant, and others known and unknown, unlawfully, wilfully, and knowingly did use and carry a firearm during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the attempted bank robbery charged in Count Three of this Indictment, and in furtherance of such crime, HURGENES PIGNARD, a/k/a "Pop," a/k/a "Pops," the defendant, possessed a firearm, to wit, a Hi Point .40 caliber semi-automatic pistol.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) & and 2.)

John J. Flynn
John J. Flynn
FOREPERSON

Michael J. Garcia
MICHAEL J. GARCIA
UNITED STATES ATTORNEY